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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHN PETERSON, an individual;

Plaintiff,

vs.

UNITED FINANCIAL CASUALTY
COMPANY, a Foreign Corporation; DOES I
through V; and ROE CORPORATIONS VI-
X, inclusive,

Defendants.

Case No.: 2:22-cv-01509-JCM-NJK

**STIPULATED JOINT DISCOVERY PLAN AND SCHEDULING ORDER PURSUANT TO
FRCP 26(f) AND LOCAL RULE 26-1(b)**

SPECIAL SCHEDULING REVIEW REQUESTED

1 Plaintiff, JOHN PETERSON, by and through his counsel of record, DRUMMOND LAW
2 FIRM and PRINCE LAW GROUP, and Defendant, UNITED FINANCIAL CASUALTY
3 COMPANY, by and through their counsel of record, KEATING LAW GROUP, hereby
4 respectfully submit their Stipulated Discovery Plan and Scheduling Order pursuant to FRCP 26(f)
5 and Local Rule 26-1(b). Deadlines that fall on a Saturday, Sunday, or legal holiday have been
6 scheduled for the next judicial day.

- 7 **1. FRCP 26(f) Meeting:** Pursuant to FRCP 26(f), counsel for the parties conferred by
8 telephone to develop a proposed discovery plan on November 15, 2022. The
9 conference was held by Craig W. Drummond, Esq., of the Drummond Law Firm, on
10 behalf of the Plaintiff, and John T. Keating, Esq. of Keating Law Group on behalf of
11 the Defendant.
- 12 **2. Pre-Discovery Disclosures:** Pursuant to FRCP 26(a)(1), the parties will make their
13 pre-discovery disclosures, including any and all information required by FRCP
14 26(a)(1) on or before December 1, 2022.
- 15 **3. Areas of Discovery:** The parties agree that the area of discovery should include but not
16 be limited to, all claims and defenses allowed pursuant to the Federal Rules of Civil
17 Procedures.
- 18 **4. Statement Pursuant to FRCP 26(f) and LR 26-1(b):** The parties agree that additional
19 time will be needed to conduct discovery due to the upcoming holiday period,
20 schedules of experts, and firm trial settings in January and February 2023 for both
21 counsels in the Eighth Judicial District Court. Additionally, some of the legal issues in
22 this case are unique and will require subpoenas and deposition testimony from the
23 Nevada Department of Motor Vehicles, and their employees, which will take additional
24 coordination with the Nevada Attorney General's Office.
- 25 **5. Discovery Plan:** The parties jointly propose the following discovery plan:
 - 26 a. **Discovery Cut-Off Date [(LR 26-1(b)(1))]:** Defendant filed its Notice of
27 Removal on September 14, 2022. The proposed last day of discovery shall be
28

1 **June 12, 2023**, which is calculated as 270 days from the Defendant's first
 2 appearance in this matter.

- 3 b. **Amendment of Pleadings and Adding of Parties [(LR 26-1(b)(2))]:** The
 4 parties shall have until **March 13, 2023**, to file any motion to amend the
 5 pleadings or add parties. This is 90 days before the proposed discovery date.
- 6 c. **FRCP 26(a)(2) Disclosure Experts [(LR 26-1(b)(3))]:** Disclosure of experts
 7 shall proceed according to FRCP 26(a)(2) except that pursuant to LR 26-
 8 1(b)(3), the initial disclosure of experts and expert reports shall occur on **April**
 9 **13, 2023**, which is 60 days before the proposed discovery cutoff date, and the
 10 disclosure of rebuttal experts shall occur on **May 15, 2023**, which is 30 days
 11 after the initial disclosure of experts.
- 12 d. **Dispositive Motions [LR 26-1(b)(4)]:** The parties shall have until **July 12,**
 13 **2023**, to file dispositive motions, which is 30 days after the proposed discovery
 14 cutoff date.
- 15 e. **Pre-Trial Order [LR 26-1(b)(5)]:** The joint pre-trial order shall be filed by
 16 **August 11, 2023**, which is 30 days after the date set for filing dispositive
 17 motions. If a dispositive motion is timely filed, this deadline is suspended until
 18 30 days after decision of the dispositive motion or further order of the Court.
- 19 f. **Trial Readiness:** The case should be ready for trial by November or December
 20 of 2023 and is expected to take approximately 3-5 days.
- 21 g. **Rule 26(a)(3) Disclosures [LR 26-1(b)(6)]:** Unless otherwise directed by the
 22 Court, pretrial disclosures as set out in FRCP 26(a)(3) and any objections to
 23 them shall be included in the joint pretrial order.
- 24 h. **Court Conferences:** If the Court has questions regarding the dates proposed by
 25 the parties, the parties request a conference with the Court before entry of the
 26 Scheduling Order. If the Court does not have questions, the parties do not
 27 request a conference with the Court.
- 28

i. **Extension or Modifications of the Discovery Plan and Scheduling Order:**

LR 26-3 governs modifications or extensions of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend a deadline set forth in the discovery plan and scheduling order must be made not later than 21 days before the subject deadline.

j. **Format of Discovery:** Pursuant to the electronic discovery amendments to the Federal Rules of Civil Procedure effective May 1, 2016, the parties addressed the e-discovery issues pertaining to the format of discovery at the FRCP 26(f) conference. The parties do not participate discovery of native files or metadata at this time, but each party reserves the right to make a showing for the need of such electronic data as discovery progresses.

6. **Alternative Dispute Resolution and Settlement [LR 26-1(b)(7)]:** The parties certify that they met and conferred about the possibility of using alternative dispute resolution processes, including mediation, arbitration, and if applicable, early neutral evaluation.
7. **Alternative Forms of Case Disposition [LR 26-1(b)(8)]:** The parties certify that they considered consent to trial by a Magistrate Judge under 28 U.S.C. §636(c) and FRCP 73.

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8. **Electronic Evidence [LR 26-1(b)(9)]**: The parties certify that they discussed whether they intend to present evidence in electronic format to jurors for the purposes of jury deliberations. The parties may present evidence in electronic format to jurors for the purposes of jury deliberations in compliance with the court's electronic jury evidence display system.

DATED this 17th day of November, 2022,

DATED this 17th day of November, 2022,

DRUMMOND LAW FIRM

KEATING LAW GROUP

/s/ Craig W. Drummond, Esq.

/s/ John T. Keating, Esq.

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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: November 22, 2022